UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORKX
LEXINGTON INSURANCE COMPANY and TRAVELERS PROPERTY CASUALTY COMPANY OF AMERICA as subrogees of Jones Lang LaSalle Management Services, Inc.
Plaintiffs,

Index: CV-07-9737

(GBD)

(THK)

-against-

NOTICE OF APPEARANCE

LOCHINVAR CORPORATION, AMBASSADOR CONSTRUCTION CO., INC., DIGIACOMO & SON, INC. and MANHATTAN MECHANICAL SERVICE, INC.,

Defendants.

LOCHINVAR CORPORATION,

Third-Party Plaintiff,

-against-

SOUTH ERIE PRODUCTION COMPANY d/b/a SEPCO ERIE,

Third-Party Defendant.

PLEASE TAKE NOTICE that third-party defendant, SOUTH ERIE PRODUCTION COMPANY, INC. s/h/a SOUTH ERIE PRODUCTION COMPANY d/b/a SEPCO ERIE, hereby appears in the above-entitled action, and that the undersigned has been retained as Attorneys for said third-party defendant.

Dated: Syosset, New York July 23, 2008

Yours etc.,

By: RICHARD C. KOEHLER (RCK-0125)

HAMMILL, O'BRIEN, CROUTIER,

DEMPSEY & PENDER, P.C.

Attorneys for Third-Party Defendant

SOUTH ERIE PRODUCTION COMPANY, INC. s/h/a SOUTH ERIE PRODUCTION COMPANY d/b/a SEPCO ERIE 6851 Jericho Turnpike, Suite 250 Syosset, New York 11791 (516) 746-0707 File: 75-2/2-1284US

TO: ROBINSON & COLE, LLP
Attorneys for Plaintiffs
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RENDE, RYAN & DOWNES, LLP Attorneys for Defendant/Third-Party Plaintiff LOCHINVAR CORPORATION 202 Mamaroneck Avenue White Plains, New York 10601 (914) 681-0444

BRODY, BENARD & BRANCH Attorneys for Defendant AMBASSADOR CONSTRUCTION CO., INC. 205 Lexington Avenue, 4th Floor New York, New York 10016 (212) 679-7007

FRENCH & RAFTER, LLP Attorneys for Defendant S. DiGIACOMO & SONS, INC. 29 Broadway, 27th Floor New York, New York 10006 (212) 797-3544

ABRAMS, GORELICK, FRIEDMAN & JACOBSON, P.C. Attorneys for Defendant MANHATTAN MECHANICAL SERVICE, INC. One Battery Park Plaza, 4th Floor New York, New York 10004 (212) 968-7573 Case 1:07-cv-09737-GBD Document 37 Filed 07/31/2008 Page 3 of 3

STATE OF NEW YORK)

AFFIDAVIT OF SERVICE

COUNTY OF NASSAU)

KIM T. STUCK, being duly sworn, says that deponent is not a party to this action, is over 18 years of age and on July 29, 2008 deponent served the annexed NOTICE OF APPEARANCE upon:

RENDE, RYAN & DOWNES, LLP 202 Mamaroneck Avenue White Plains, New York 10601

ROBINSON & COLE, LLP 885 Third Avenue, 28th Floor New York, New York 10022

BRODY, BENARD & BRANCH 205 Lexington Avenue, 4th Floor New York, New York 10016

FRENCH & RAFTER, LLP 29 Broadway, 27th Floor New York, New York 10006

ABRAMS, GORELICK, FRIEDMAN & JACOBSON, P.C. One Battery Park Plaza, 4th Floor New York, New York 10004

at the last known address designated by said addressee for that purpose by depositing a true copy of same in a postpaid, properly addressed, sealed wrapper, in a depository under the exclusive care and custody of the United States Post Office Department within the State of New York.

Sworn to before me this 29 day of July, 2008

Notary Public

MICHAEL J. PENDER Notary Public, State of New York

No. 41-4922326 Qualified in Queens Commission Expires